

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TIMOTHY MORGAN, Individually and  
On Behalf of All Others Similarly Situated,

Plaintiff,

V.

Civil Action No. 03-12529-JLT

NETWORK ENGINES, INC., JOHN  
CURTIS, DOUGLAS G. BRYANT and  
LAWRENCE A. GENOVESI,

Defendants.

EDWIN POWELL MILLER, Individually  
and On Behalf of All Others Similarly  
Situated,

Plaintiff,

V.

Civil Action No. 04-10022-JLT

NETWORK ENGINES, INC., JOHN  
CURTIS, DOUGLAS G. BRYANT and  
LAWRENCE A. GENOVESI,

Defendants.

(Additional Captions Set Forth Below)

DAVID DUBROW, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

V.

NETWORK ENGINES, INC., JOHN  
CURTIS, DOUGLAS G. BRYANT and  
LAWRENCE A. GENOVESI,

Defendants.

WING KAM YU, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

V.

NETWORK ENGINES, INC., JOHN  
CURTIS, DOUGLAS G. BRYANT and  
LAWRENCE A. GENOVESI,

Defendants.

HERBERT A. REITZEL, Individually and  
On Behalf of All Others Similarly Situated,

Plaintiff,

V.

NETWORK ENGINES, INC., JOHN  
CURTIS, DOUGLAS G. BRYANT and  
LAWRENCE A. GENOVESI,

Defendants.

**ORDER CONSOLIDATING THE ACTIONS, APPOINTING WING KAM YU, BLAKE KUNKEL, AND THOMAS CUNNINGHAM AS LEAD PLAINTIFF PURSUANT TO § 21D(a)(3)(B) OF THE SECURITIES EXCHANGE ACT OF 1934 AND APPROVING ITS SELECTION OF LEAD AND LIAISON COUNSEL**

March 17, 2004

TAURO, J.

Having considered the Motion to Appoint Wing Kam Yu, Blake Kunkel and Thomas Cunningham, as Lead Plaintiff pursuant to § 21D(a)(3)(B) of the Securities Exchange Act of 1934 and to Approve Lead Plaintiff's Choice of Counsel (the "Motion") and good cause appearing before therefore, the Court orders as follows:

1. The Motion is GRANTED;
2. The Court, having considered the provision of Fed. R. Civ. P. 42(a) hereby determines that the above captioned actions should be consolidated;
3. Wing Kam Yu, Blake Kunkel, and Thomas Cunningham are the "most adequate plaintiff" and accordingly, are appointed Lead Plaintiff pursuant to § 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B); and
4. Lead Plaintiff's selection of Milberg Weiss Bershad Hynes & Lerach LLP to serve as Lead Counsel, and Moulton & Gans P.C. to serve as Liaison Counsel is granted pursuant to § 21D(a)(3)(B)(v) of the Securities Exchange Act.

IT IS SO ORDERED.

/S/ Joseph L. Tauro  
United States District Judge